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STATE OF DELAWARE  
**DEPARTMENT OF STATE**

DIVISION OF PROFESSIONAL REGULATION

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PUBLIC MEETING MINUTES:	<b>Board of Pilot Commissioners</b>
MEETING DATE AND TIME:	<b>Friday, September 11, 2009 at 1:00 p.m.</b>
PLACE:	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room A</b> , second floor of the Cannon Building
MINUTES APPROVED:	December 11, 2009

**MEMBERS PRESENT**

Gary Patterson, Shipping Industry Representative, President  
David Potter, Professional Member, Secretary  
Richard Cordrey, Public Member  
David Brady, Public Member

**MEMBERS ABSENT**

Troy Selph, Professional Member, Vice President  
Charles F. Macintire, Professional Member  
Thomas Cook, Public Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL**

Fredrick Schranck, Deputy Attorney General  
Judy Letterman, Administrative Specialist III

**ALSO PRESENT**

James Roche, President, Pilots Association  
James, Johnson, Pilot Association  
Jonathan Vaughn, Pilot Training Program Director  
Jerry Medd

**CALL TO ORDER**

Mr. Patterson called the meeting to order at 1:03 p.m.

Mr. Patterson amended the agenda under New Business to add 4.2 “School Name Change” and under Other Business Before the Board, “Division of Professional Regulation Memo”.

Mr. Patterson inquired as to how the Commission could monitor the temporary suspension of Rule 11.2, how will they be made aware of when the enforcement should be lifted, or should a pilot Commission member inform the Commission when ships are available.

Mr. Roche informed the Commission that the Pilot Association will notify the Commission when the ships become available so that the pilots can obtain their required offshore trip experiences.

### **REVIEW OF MINUTES**

A motion was made by Mr. Potter seconded by Mr. Cordrey to approve the June 12, 2009 minutes as amended. The motion was unanimously carried.

### **OLD BUSINESS**

#### **Pilot Association Apprentice Committee Report**

Mr. Vaughn informed the Commission that John Lynch was in the last quarter of his training program, he will take the Sixth Class Pilot examination in October and will be ready to begin work in December, Blake Hershelman is making progress in qualifying to sit for Federal Pilotage examinations which he will take after the first of the year and William Keller, due to medical reasons, has been unable to make progress in the program. Mr. Vaughn will work with him to develop a schedule to regain the lost time and will report to the Commission at the next meeting whether or not he will be able to complete the program.

#### **Accidents, Groundings and /or Incidents**

Mr. Potter informed the Commission that he has been assigned Complaint 03-01-09.

#### **Strategic Plan**

The Commission will discuss the strategic plan at the December meeting.

### **NEW BUSINESS**

#### **Rule Change Proposal**

Mr. Schranck presented the Commission with the proposed draft concerning the Rule and Regulation changes for Rule 4.0 and Rule 6.0.

The draft proposal for Rule 4.0 states “The renewal date for Pilot Licenses is November 30, or the date determined by the Division of Professional Regulation, to comply with 23 Del.C. Section 115”, and Rule 6.0 states, “**Pilots** must pass a designated physical examination every year within 120 days before their date of license renewal. Results of the examination shall be reported on the form approved by the Board. Examinations may also be ordered by the Board for any Pilot at any time for any cause. In addition, each Pilot shall report to the Commission concerning the Pilot’s request for a waiver

from the United States Coast Guard for any medical condition, as permitted by Federal regulation, as well as the results of any such waiver request. The initial report to the Commission shall be made at the same time that the waiver request is made to the Coast Guard, and the report of the Coast Guard's decision on the waiver request shall be provided to the Commission within three business days of the Pilot's receipt of the waiver decision."

Mr. Schranck stated that the proposed draft will be in the October edition of the Register of Regulations for any written comments and can be adopted at the December meeting.

Mr. Roche asked that the Commission not to limit physical form to a specific form but to consider accepting other physical forms.

Mr. Patterson explained the reasons for the changes and welcomed any written or verbal comments which can be heard at the December hearing.

#### School Name Change

Mr. Patterson informed the Commission that due to consolidation, the Tidewater School of Navigation has been renamed and is now the Mid-Atlantic Maritime Academy. With this change, a rule and regulation change is required.

A motion was made by Mr. Cordrey, seconded by Mr. Brady to approve the name change. The motion was unanimously carried

The proposed rule change will be published in the October Register of Regulations.

#### **OTHER BUSINESS BEFORE THE BOARD**

Mr. Patterson informed the Commission that they received a memo from James Collins, Division Director, asking to submit any proposed legislative changes by November 18, 2009.

The Commission would like to respond they have no changes at this time.

Mr. Patterson advised the Commission that he had invited Captain Meredith Austin, the new Captain of the Port, however due to the weather she was unable to make the meeting and asked that she be invited to the December meeting.

#### **PUBLIC COMMENT**

Mr. Roche, the new Pilot Association President, informed the Commission of his goals for the Pilots Association and offered the Commission any assistance they may need.

#### **NEXT SCHEDULED MEETING**

The next meeting has been scheduled for Friday, December 11, 2009 at 1:00 p.m.

**AJOURNMENT**

A motion was made by Mr. Cordrey, seconded by Mr. Brady, to adjourn the meeting. The motion was unanimously carried. The meeting adjourned at 1:39 p.m.

Respectfully submitted,

Judy Letterman  
Administrative Specialist III